

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAYRA CORTES-FLORES,

Defendant.

8:13CR22

ORDER

Defendant Mayra Cortes-Flores (Cortes-Flores) appeared before the court on November 3, 2014, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 54). Cortes-Flores was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Frederick D. Franklin. Through her counsel, Cortes-Flores waived her right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find the Petition alleges probable cause and that Cortes-Flores should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Cortes-Flores declined to present any evidence or request a hearing on the issue of detention. Since it is Cortes-Flores's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence she is neither a flight risk nor a danger to the community, the court finds Cortes-Flores has failed to carry her burden and that Cortes-Flores should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:30 a.m. on December 29, 2014**. Defendant must be present in person.

2. Defendant Mayra Cortes-Flores is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 3rd day of November, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge